



PATENT  
Attorney Docket No. FRD-043

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
MAR 02 2004

APPLICANT(S): Follestad *et al.*

SERIAL NUMBER: 09/673,121 GROUP NUMBER: 1755

FILING DATE: October 10, 2000 EXAMINER: J.M. Brown

TITLE: CATALYST SYSTEM FOR ETHYLENE POLYMERISATIONS

Terminal Disclaimer

I, PEKKA SORMUNEN, residing at PORVOO, FINLAND

state that I am a representative authorized to sign on behalf of Borealis Technology Oy, identified below as the assignee of the entire right, title and interest in and to the above-identified patent application, U.S. Serial No. 09/673,121. I have reviewed all the evidentiary documents accompanying or referred to in the instant Terminal Disclaimer and certify that, to the best of my knowledge and belief, title to the above-identified application is in the name of Borealis Technology Oy.

Borealis Technology Oy of P.O. Box 330, FIN-06101, Porvoo, Finland, is the assignee of the entire right, title and interest in and to the above-identified application, U.S. Serial No. 09/673,121, by virtue of an assignment from the inventors of the above-identified application to Borealis Technology Oy that was recorded in the United States Patent and Trademark Office at Reel 011353, Frame 0308, on December 7, 2000.

Borealis Technology Oy hereby waives and disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 6,541,581 B1. Borealis Technology Oy hereby agrees that any patent so granted on U.S. Serial No. 09/673,121 shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,541,581 B1. This agreement runs with any patent granted on the U.S. Serial No. 09/673,121 and is binding upon the assignee, its successors or assigns.

02/27/2004 RHEBANT 00000058 09673121  
110.00 OP  
01 FC:1814

Borealis Technology Oy does not disclaim the terminal part of any patent granted on U.S. Serial No. 09/673,121 prior to the expiration date of the full statutory term of U.S. Patent No. 6,541,581 B1, as presently shortened by any terminal disclaimer, in the event that U.S. Patent No. 6,541,581 B1 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a Court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a re-examination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**BOREALIS TECHNOLOGY OY**

By: Pekka Somunen

Name: Pekka Somunen  
Manager, Intellectual Rights

Title: \_\_\_\_\_

Date: FEB. 18, 2004